

REMARKS

This paper is submitted in reply to the Advisory Action mailed April 3, 2007. The amendments contained in the Reply filed March 19, 2007 were not entered because the proposed amendments raised new issues that would require further consideration and/or search and they were not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal. Reconsideration of the Final Office Action mailed July 26, 2006, (hereinafter "instant Office Action") and withdrawal of the rejection of claims 1-8, 10, 46 and 47, are respectfully requested.

In the Office Action, claims 1-8, 10, 11 and 46-52 are listed as pending, claims 11 and 48-51 are listed as withdrawn from consideration and claims 1-8, 10, 46 and 47 are listed as rejected. On page 6 of the instant Office Action the Examiner states that claim 52 is allowed.

Applicants have amended claims 2, 3 and 6 to correct typographical errors.

In response to the Advisory Action mailed April 3, 2007, Applicants have deleted the proviso at the end of claim 1, deleted " -N(R)S(O)_2 " from claim 1. Applicants have cancelled claim 47 without waiver or prejudice to Applicants' right to pursue the cancelled subject matter in a continuation or divisional application..

The Examiner has maintained the rejection of claims 1-8, 10, 46 and 47 under 35 U.S.C. §103(a) over Calderwood et al., WO 98/41525. Applicants respectfully traverse this rejection and maintain the arguments presented in the Replies filed November 30, 2004, March 26, 2004, July 11, 2003, February 11, 2003, the RCE filed October 24, 2005 and the Reply filed May 11, 2006. Without conceding to the correctness of the Examiner's rejections and for the sole purpose of expediting prosecution of the instant application and to place it in condition for allowance, Applicants have amended claim 1 to delete S, S(O), S(O)₂, -C(O)N(R)-, -N(R)C(O)-, -N(R)C(O)N(R)-, -SO₂N(R)-, N(R)SO₂, and -C(O)O- from the definition of L. Applicants have deleted the proviso at the end of claim 1.

The foregoing amendments serve to differentiate the instant claims from WO 98/41525. The instant genus is not obvious over WO 98/41525 because, as currently amended, the instant genus has an entirely different definition for "L" which corresponds to "A" in the references. There is no suggestion, teaching or motivation in the reference to use Applicants' "L". In fact, at page 6, lines 2-3, the reference states "More preferably A represents O or S. Most preferably A

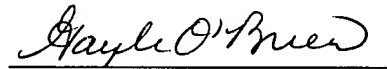
represents O.” Thus, the references teaches away from the genus claimed by the instant application and therefore, the instant application is not obvious over the genus.

Based upon the foregoing, the rejection of claims 1-8, 10, 46 and 47 under 35 U.S.C. §103(a) over Calderwood et al., WO 98/41525, is obviated and should be withdrawn.

In view of the foregoing remarks, Applicants believe that claims 1-8, 10 and 46, 47 and 52 are in condition for allowance. Prompt and favorable action is earnestly solicited. If the Examiner believes that a telephone conference would advance the condition of the instant application for allowance, Applicants invite the Examiner to call Applicants’ agent at the number noted below.

Respectfully submitted,

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